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October 2, 2018

Hon. Louis L. Stanton
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 21C
New York, NY 10007-1312

Re: SEC v. Meli, et al., 17-CV-632-LLS

Dear Judge Stanton:

We write to update the Court on our decision to seek to withdraw as counsel in this action to the Meli defendants (defined below) and Anna Meli, Joseph Meli's mother.

At the August 27 status conference this year, we advised the Court of this issue, and Your Honor directed us to keep you "posted on the representation question" (Dkt. No. 181). We conferred with the plaintiff SEC, which takes no position on our proposed motion to withdraw. For the reasons summarized below, our continued representation of these parties is untenable. We respectfully request that Your Honor grant permission to withdraw, or, alternatively, if a pre-motion conference is required despite the August 27 conference, we request that this letter be treated as a request for such a conference.

Since the outset of this case, we have represented the Meli defendants, which includes, Joseph Meli, who was, at the outset, under indictment and who was later convicted upon guilty plea, and his corporate entities, 127 Holdings, LLC, Advance Entertainment, LLC, Advance Entertainment II, LLC, 127 Partners, LLC, 127 Iconic Holdings, LLC, Nineteen Two Productions, LLC. We later agreed to represent Anna Meli, who was added as a "relief defendant." This action was initially stayed, pending the outcome of the criminal charges against Meli.

Following Meli's conviction and other developments in this case, we have now concluded – consistent with the concerns we raised at the August 27 conference – that our firm cannot continue to represent the Meli defendants and Anna Meli, who may have conflicting interests. The grounds for withdrawal are the following:

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- (i) competing interests among multiple clients, including between Joseph Meli and his mother;
- (ii) irreconcilable differences between the firm and the clients concerning strategy and objectives;
- (iii) outstanding unpaid legal fees that Joseph Meli is unable to pay; and
- (iv) additional professional considerations that require termination of the representation.

Pursuant to the professional rules and other authorities, our firm must seek withdrawal in these circumstances. *See* New York Rules of Professional Conduct 1.7, 1.16(c)(4), and 1.16 Comment [3]. We have conferred with both Joseph Meli and Anna Meli, and neither has consented to our withdrawal. On their behalf, we request a 30-day stay of the action upon grant of our request to withdraw, to allow them to find substitute counsel.

Respectfully submitted,

/s/ Daniel J. Fetterman

CC: All Counsel (via ECF)